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Interim Co-Lead Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MARK OPPERMAN, et al.,

Plaintiff(s),

v.

PATH, INC., et al.,

Defendant(s).

Case No: 13-cv-00453-JST

CLASS ACTION

NOTICE OF STIPULATED
WITHDRAWAL OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL AND PLAINTIFFS'
MOTION FOR CLASS CERTIFICATION
(REDACTED) WITHOUT PREJUDICE

THIS DOCUMENT RELATES TO THE
FOLLOWING CASES

Opperman v. Path, Inc., No. 13-cv-00453-JST
Hernandez v. Path, Inc., No. 12-cv-1515-JST

TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiffs Lauren Carter, Stephanie Cooley, and Jason Green (“Plaintiffs”), by and through counsel, have agreed and hereby stipulate to suspend and withdraw, without prejudice, Plaintiffs’ Motion for Class Certification Re: Path App (“Plaintiffs’ Motion”) (ECF # 585) and Plaintiffs’ Administrative Motion to File Under Seal (ECF # 584), to allow further compliance with N.D. Cal. Civ. Rule 7-11 and Rule 79-5.

Plaintiffs and Defendants Path, Inc. (“Path”) and Apple Inc. (“Apple”) (“Defendants”) (collectively, the “Parties”) met and conferred telephonically via counsel on Friday, November 13, 2015 to discuss the subjects of confidentiality designations on the exhibits to the Declaration of Conor Kennedy in support of Plaintiffs’ Motion and Plaintiffs’ redactions to Plaintiffs’ Motion, as well as the Parties’ briefing schedule for Plaintiffs’ Motion.

The Parties stipulate and agree that Plaintiffs’ Administrative Motion, Plaintiffs’ Motion, and the hearing for Plaintiffs’ Motion shall each be taken off calendar and may be reset at a later date, pending a further meet and confer via counsel that is scheduled for November 19, 2015 at 10 a.m. on the foregoing subjects. The Parties stipulate and agree that both motions may be reset by stipulation, in the event of an agreement, or by notice, in the event of disagreement with respect to any of these subjects following Thursday’s meet and confer. Defendants acknowledge and agree that they each received complete copies of the unredacted versions of Plaintiffs’ Motion on November 13, 2015, the day after the Motion was filed.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: November 16, 2015

/s/ Conor H. Kennedy

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Dated: November 16, 2015

HOGAN LOVELLS US LLP

By: /s/
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**ATTORNEYS FOR DEFENDANT APPLE,
INC.**

Dated: November 16, 2015

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ATTORNEYS FOR DEFENDANT PATH, INC.

ATTESTATION

I attest that concurrence in the filing of this document has been obtained from the other signatories listed above.

Dated: November 16, 2015

PHILLIPS, ERLEWINE, GIVEN & CARLIN LLP

By: /s/ Conor H. Kennedy
Conor H. Kennedy

CERTIFICATE OF SERVICE

I certify that on this day, November 16, 2015, I caused a copy of this to be served on all counsel of record via the CM/ECF system.

Dated: November 16, 2015

PHILLIPS, ERLEWINE, GIVEN & CARLIN LLP

By: /s/ Conor H. Kennedy

Conor H. Kennedy